

DECLARATION FOR PATENT APPLICATION

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MAR 05 2007

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name; OFFICE OF PETITIONS

I believe that I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

THERMAL PROCESSING SYSTEM AND CONFIGURABLE VERTICAL CHAMBER

the specification of which:

☐ is attached hereto.
☒ was filed on:
as Application No.:
and was amended on:

July 10, 2003

PCT/US2003/021575

(if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Foreign Filing Date (DD/MM/YYYY)	Priority Claimed		Certified Copy Attached	
			Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
			Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Dorsey & Whitney LLP
Intellectual Property Department
555 California Street, Suite 1000
San Francisco, California 94104-1513
(650) 857-1717 (telephone); (650) 857-1288 (facsimile)

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Prior Provisional Application(s)

I hereby claim priority under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
60/396,536	July 15, 2002
60/428,526	November 22, 2002

Prior United States Application(s)

I hereby claim priority under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned

All correspondence and telephone communications should be addressed to Maria S. Swiatek at the address corresponding to Customer Number 32940 currently: DORSEY & WHITNEY LLP, Intellectual Property Department; 555 California Street, Suite 1000, San Francisco, California 94104-1513; telephone number (650) 857-1717; facsimile number (650) 857-1288.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Signature _____ Date _____

Full Name of
First Inventor:

Du Bois **Dale** **R.**
(Family Name) (First Given Name) (Second Given Name)

Citizenship: US Citizen

Residence: Los Gatos, California

Post Office
Address: 14285 Mulberry Drive
Los Gatos, California 95032

Signature _____ Date _____

Full Name of
Second Inventor:

Nam **Jamie** **H.**
(Family Name) (First Given Name) (Second Given Name)

Citizenship: US Citizen

Residence: Scotts Valley, California

Post Office
Address: 104 B Saint Augustine Way
Scotts Valley, California 95066

Signature _____ Date _____

Full Name of
Third Inventor:

Wildman **Craig**
(Family Name) (First Given Name) (Second Given Name)

Citizenship: US Citizen

Residence: Sunnyvale, California

Post Office
Address: 1729 Karamenos Drive
Sunnyvale, California 94087

Signature _____ Date _____

Full Name of
Fourth Inventor: Qiu Taiquing
(Family Name) (First Given Name) (Second Given Name)

Citizenship: US Citizen

Residence: Los Gatos, California

Post Office
Address: 135 Riviera Drive, Apt. 328
Los Gatos, California 95032

Signature _____ Date _____

Full Name of
Fifth Inventor: Kowalski Jeffrey M.
(Family Name) (First Given Name) (Second Given Name)

Citizenship: US Citizen

Residence: Aptos, California

Post Office
Address: 122 Zanzibar Road
Aptos, California 95003

Signature _____ Date _____

Full Name of
Sixth Inventor: _____
(Family Name) (First Given Name) (Second Given Name)

Citizenship: _____

Residence: _____

Post Office
Address: _____

ASSIGNMENT

WHEREAS, the undersigned, **Dale R. Du Bois**, a resident of **Los Gatos, California**; **Jamie H. Nam**, a resident of **Scotts Valley, California**; **Craig Wildman**, a resident of **Sunnyvale, California**; **Taiqing Qiu**, a resident of **Los Gatos, California**; and **Jeffrey M. Kowalski**, a resident of **Aptos, California**, (collectively hereinafter termed "Inventors"), have jointly invented certain new and useful improvements in **THERMAL PROCESSING SYSTEM AND CONFIGURABLE VERTICAL CHAMBER**, for which invention we have executed a United States utility patent application, having Serial No. 10/521,619, and filing date of January 14, 2005, and which invention is fully described in the specification pertaining to said application.

WHEREAS, **AVIZA TECHNOLOGY, INC.** (hereinafter termed "Assignee"), a body having corporate powers under the laws in the State of Delaware, having a place of business at **440 Kings Village Road, Scotts Valley, California 95066**, is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventor to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a utility, divisional, substitution, or continuation of any of said applications; and (d) in and to each and every reissue or extension of any of said patents; and (e) all claims for damages by reason of past infringement of said patents, with the right to sue for and collect the same for its own use and enjoyment, and for use and enjoyment of its successors, assigns or other legal representatives.
2. Said Inventors hereby covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United

States and foreign countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting a utility, divisional, substitute, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventor in providing such cooperation shall be paid for by said Assignee.

3. The terms, covenants and conditions of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventor, his respective heirs, legal representatives and assigns.

4. Said Inventors hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee on this ____ day of _____, 2006.

Dale R. Du Bois

State of California)
) ss.
County of _____)

On this ____ day of _____, in the year 2006, before me, _____, Notary Public of the State of California in the County of _____, personally appeared Dale R. Du Bois, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)

Signature _____

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee on this _____ day of _____, 2006.

Jamie H. Nam

State of California)
County of _____)

On this ____ day of _____, in the year 2006, before me, _____, Notary Public of the State of California in the County of _____, personally appeared Jamie H. Nam, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)

Signature _____

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee on this _____ day of _____, 2006.

Craig Wildman

State of California)
County of _____)

On this ____ day of _____, in the year 2006, before me, _____, Notary Public of the State of California in the County of _____, personally appeared Craig Wildman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)

Signature _____

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee on this ____ day of _____, 2006.

Taiquing Qiu

State of California)
County of _____)

On this ____ day of _____, in the year 2006, before me, _____, Notary Public of the State of California in the County of _____, personally appeared Taiquing Qiu, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)

Signature _____

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee on this ____ day of _____, 2006.

Jeffrey M. Kowalski

State of California)
County of _____)

On this ____ day of _____, in the year 2006, before me, _____, Notary Public of the State of California in the County of _____, personally appeared Jeffrey M. Kowalski, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)

Signature _____